



PATENT  
Serial No.: 10/723,648 (DE258-67262/DP-308340)

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Applicant(s):	Allan R. Wells et al.	)	Examiner: A. Martin
		)	
Serial No.:	10/723,648	)	Art Unit: 1795
		)	
Filed:	November 26, 2003	)	Confirmation No. 8779
		)	
For:	PEM FUEL CELL ASSEMBLY	)	
	FORMED OF MODULAR	)	
	SUB-ASSEMBLIES	)	
		)	

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 C.F.R. 1.8)**

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:


I hereby certify that the following correspondence:

**Fee Transmittal (1 page)**

is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 C.F.R. 1.8(a)] on

November 24, 2008  
Date

Lydia A. Ginther  
(Typed or printed name of person  
mailing paper or fee)

  
(Signature of person mailing paper  
or fee)

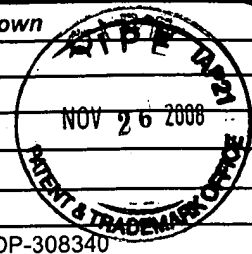
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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL**  
**For FY 2009**☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 180.00**Complete if Known**

Application Number	10/723,648
Filing Date	11/26/2003
First Named Inventor	Allan R. Wells
Examiner Name	A. Martin
Art Unit	1795
Attorney Docket No.	DE258-67262/DP-308340

**METHOD OF PAYMENT (check all that apply)**
☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 50-4635 Deposit Account Name: Woods Oviatt Gilman

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	330	165	540	270	220	110	
Design	220	110	100	50	140	70	
Plant	220	110	330	165	170	85	
Reissue	330	165	540	270	650	325	
Provisional	220	110	0	0	0	0	

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)  
 Each independent claim over 3 (including Reissues)  
 Multiple dependent claims

Fee (\$)	Small Entity Fee (\$)
52	26
220	110
390	195

<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
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\_\_\_\_\_ - 20 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of total claims paid for, if greater than 20.

<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
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\_\_\_\_\_ - 3 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$270 (\$135 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
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\_\_\_\_\_ - 100 = \_\_\_\_\_ / 50 = \_\_\_\_\_ (round up to a whole number) x \_\_\_\_\_ = \_\_\_\_\_

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Submission of Information Disclosure Statement**Fees Paid (\$)**

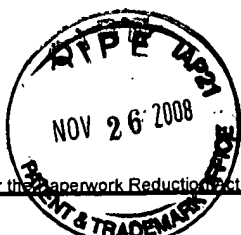
180.00

**SUBMITTED BY**

Signature	<u>Dennis B. Danella</u>	Registration No. (Attorney/Agent) 46,653	Telephone (585) 987-2800
Name (Print/Type)	Dennis B. Danella, Esq.		Date November 24, 2008

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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PTO/SB/21 (10-08)

Approved for use through 11/30/2008. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

6

Application Number

10/723,648

Filing Date

11/26/2003

First Named Inventor

Allan R. Wells

Art Unit

1795

Examiner Name

A. Martin

Attorney Docket Number

DE258-67262/DP-308340

### ENCLOSURES (Check all that apply)



Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)



Reply to Missing Parts/  
Incomplete Application



Reply to Missing Parts  
under 37 CFR 1.52 or 1.53



Drawing(s)



Licensing-related Papers



Petition



Petition to Convert to a  
Provisional Application



Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD



After Allowance Communication to TC



Appeal Communication to Board  
of Appeals and Interferences



Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)



Proprietary Information



Status Letter



Other Enclosure(s) (please identify  
below):

Certificate of Mailing by First Class Mail for  
the above;  
Return Receipt Postcards (2).

Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Woods Oviatt Gilman LLP

Signature

*Dennis B. Danella*

Printed name

Dennis B. Danella, Esq.

Date

November 24, 2008

Reg. No.

46,653

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

*Lydia A. Ginther*

Typed or printed name

Lydia A. Ginther

Date

November 24, 2008

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

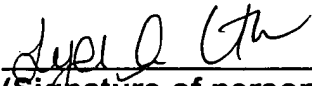
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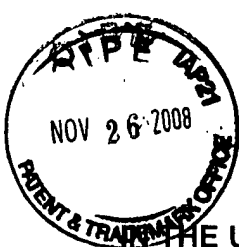
Information Disclosure Statement and Form PTO/SB/08a (2 pages)

is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 C.F.R. 1.8(a)] on

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Lydia A. Ginther  
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THE UNITED STATES PATENT & TRADEMARK OFFICE

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For:	PEM FUEL CELL ASSEMBLY	)	
	FORMED OF MODULAR	)	
	SUB-ASSEMBLIES	)	

**INFORMATION DISCLOSURE STATEMENT**

**Mailstop Amendment**

Commissioner for Patents  
P O. Box 1450  
Alexandria VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, Applicants hereby bring to the attention of the United States Patent and Trademark Office the references listed on the attached Form PTO/SB/08a.

The Commissioner is hereby authorized to charge the \$180.00 fee required under 37 C.F.R. §§ 1.97(c) and 1.17(p), and any other fee that may have been overlooked, to Deposit Account No. 50-4635.

Respectfully submitted,

11/24/2008  
Date

  
Dennis B. Danella, Esq.  
Registration No. 46,653

**WOODS OVIATT GILMAN LLP**  
700 Crossroads Building  
2 State Street  
Rochester, NY 14614  
Telephone: (585) 987-2800  
Facsimile: (585) 454-3968

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